

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

v.

SENTENCING MINUTES

ERIC NOE ARAUJO FLORES

Case No. 15-CR-320

HONORABLE LIAM O'GRADY presiding
Proceeding Held: June 3, 2016
Deputy Clerk: Amanda

Time Called: 10:07 a.m.
Time Concluded: 10:31 a.m.
Court Reporter: N. Linnell

Appearances:

UNITED STATES OF AMERICA by: Michael Frank
ERIC NOE ARAUJO FLORES in person and by: Joseph Conte
INTERPRETER: Angeles Estrada Interpreter Sworn

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- The parties have no objections to the factual statements in the PSR The parties have no objections to the application of the guidelines in the PSR
- Objections/corrections to factual statements in PSR by Plaintiff Defendant Objections/corrections to application of guidelines by Plaintiff Defendant
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- The government presents sentencing argument:
Recommends a sentence of 30 years. The defendant presents sentencing argument:
Requests mandatory minimum of 10 years.
- Defendant exercises right of allocution. The court imposes sentence.
- The government dismisses count(s) _____. Defendant advised of appeal rights.

Sentencing Guidelines:

Offense Level: 40

Criminal History: I

Imprisonment Range: Cts: 1-4, 5 and 7 Ct. 9 Ct. 10
 292 – 365 months Max. 20 years Max. 10 years

SR Range: Cts. 1-9 Ct. 10
 5 years 2 – 3 years

Fine Range: \$25,000.00 - \$250,000.00

Restitution: TBD

Special Assessment: \$900.00

- Government files restitution order in open court and withdraws their notice of forfeiture
- Defendant does not challenge the government's restitution order

SENTENCE IMPOSED:

Imprisonment:	300	Months as to Count(s)	1-7	of the Indictment to run concurrently.
	<u> </u>		9	of the Indictment to run concurrently.
	240	Months as to Count(s)	10	of the Indictment to run concurrently.
	<u> </u>			
	120	Months as to Count(s)	10	of the Indictment to run concurrently.
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Imprisonment term for each count to be served concurrently consecutively.

TOTAL TERM OF IMPRISONMENT IMPOSED: 25 years.

This term of imprisonment is to be served (concurrently with or consecutively to) any state court sentence the defendant is currently serving.

Probation: _____ Years as to Count(s) _____ of the _____.

Supervised Release:	5	Years as to Count(s)	1-7	of the Indictment.
	<u> </u>		9	of the Indictment.
	5	Years as to Count(s)	10	of the Indictment.
	<u> </u>			
	3	Years as to Count(s)	10	of the Indictment.
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MONETARY PENALTIES

Special Assessment: \$ 900.00 due immediately

Fine: \$ _____ fine waived

Restitution: \$ 40,370.00 interest waived

JOINT AND SEVERAL PAYMENTS

Fine and/or Restitution is joint and several with _____.
 Repayment of Buy Money is joint and several with _____.

FORFEITURE

All property forfeited upon conviction or by order of the court shall be included in the criminal judgment.

RECOMMENDATIONS

The court recommends the defendant's placement at _____.
 The court recommends the defendant's participation in the Bureau of Prisons' 500-hour drug treatment program.
 Other: _____.

CUSTODY

The defendant is remanded to the custody of the U.S. Marshal Service.
 The defendant is to voluntarily surrender at the institution designated by the Bureau of Prisons as notified by the U.S. Probation Office; on or after _____.

CONDITIONS OF SUPERVISED RELEASE/PROBATION

Mandatory Conditions

- Register as a Sex Offender

Special Conditions

- | | |
|---|---|
| <input type="checkbox"/> Drug Testing – Special Condition
<input type="checkbox"/> Drug Testing – Standard Condition
<input type="checkbox"/> Drug Testing – Waived
<input checked="" type="checkbox"/> Monthly Restitution Payment: of no less than \$ 50.00
<input type="checkbox"/> Monthly Fine Payment: \$ _____
<input type="checkbox"/> Repay Buy Money – Total: \$ _____.
<input type="checkbox"/> Repay Buy Money: \$ _____/month
<input type="checkbox"/> No New Lines of Credit
<input checked="" type="checkbox"/> Financial Disclosure
<input type="checkbox"/> Submit to search by USPO
<input type="checkbox"/> No tavern employment or patronization
<input type="checkbox"/> No employment with fiduciary responsibilities
<input type="checkbox"/> No gambling
<input type="checkbox"/> No transfer of assets in excess of \$500.00
<input type="checkbox"/> No possession/use of computer – on-line access
<input type="checkbox"/> No possession/use of data encryption/erasure
<input type="checkbox"/> Provide computer passwords and logons
<input checked="" type="checkbox"/> Consent to search of electronic devices
<input checked="" type="checkbox"/> No working/volunteering with juveniles | <input type="checkbox"/> Home Confinement for _____ days
<input type="checkbox"/> Home Confinement with Alcohol Testing for _____ days
<input type="checkbox"/> Community Correctional Center: _____ days
<input type="checkbox"/> Residential Re-Entry Center: _____ days
<input checked="" type="checkbox"/> Cooperate with Bureau of Immigration/Customs
<input type="checkbox"/> Cooperate with IRS
<input type="checkbox"/> Cooperate with Child Support
<input checked="" type="checkbox"/> Participate in mental health treatment program
<input checked="" type="checkbox"/> Participate in sex offender assessment/treatment
<input checked="" type="checkbox"/> Waive confidentiality – sex offender treatment
<input type="checkbox"/> No sexually-explicit materials w/minors
<input type="checkbox"/> No possession/viewing of pornography or erotica
<input type="checkbox"/> Obtain GED or HSED
<input checked="" type="checkbox"/> No contact – unrelated children under 18
<input checked="" type="checkbox"/> No contact with victim(s) or her family
<input type="checkbox"/> No contact with gang members
<input type="checkbox"/> Perform community service: _____ hours
<input type="checkbox"/> |
|---|---|